

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY rg D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

VS.

STEVEN MARCEL BIRCH,

Defendant,

Cr. No. 04-20256-MI

**ORDER GRANTING GOVERNMENT'S ORAL MOTION
TO DISMISS THE ORIGINAL INDICTMENT AND
COUNTS 4,5,7 AND 8 OF THE SUPERSEDING INDICTMENT**

This cause came to be heard before the court at the sentencing hearing held this date upon the oral motion of counsel for the United States to dismiss the original indictment and counts 4,5,7 and 8 of the superseding indictment in this case as to defendant Steven Marcel Birch, and it appears to the Court that the plea agreement in this case having been accepted, and sentence imposed on count 1 of the superseding indictment, the government's motion is well taken and should be granted.

SO ORDERED this 21 day of Sept., 2005.

JON PHIPPS MCCALLA
United States District Judge

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Notice of Distribution

This notice confirms a copy of the document docketed as number 175 in case 2:04-CR-20256 was distributed by fax, mail, or direct printing on September 23, 2005 to the parties listed.

Carroll L. Andre
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Leslie I. Ballin
BALLIN BALLIN & FISHMAN
200 Jefferson Ave.
Ste. 1250
Memphis, TN 38103

Honorable Jon McCalla
US DISTRICT COURT